

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Effective May 22, 2006

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In Re: Fred Leighton Holdings, Inc.

NOTICE OF COURT CONFERENCE

Fred Leighton Holding, Inc.

Debtor

09 Civ. 7772 (JSR)

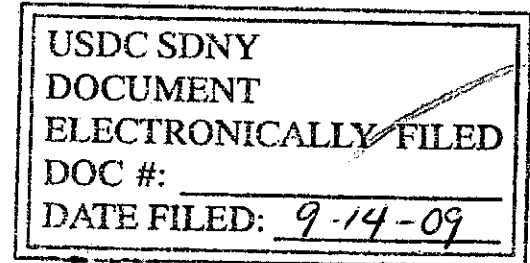
**R. Esmerian, Inc.
Ralph O. Esmerian**

Appellant(s),

-v-

Merrill Lynch Mortgage Capital, Inc.

Appellee(s).
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To: The Attorney(s) for Appellant(s) and Appellee(s):

Judge Rakoff has ordered that counsel for all parties attend a conference, at the time and place fixed below, to report the status of this litigation and to consider other relevant matters. You are directed to furnish all attorneys in this action with copies of this notice and enclosures, and to furnish Chambers with a copy of any transmittal letter(s). If you are unaware of the identity of counsel for any of the parties, you should send a copy of the notice and rules to that party personally, informing the party that any unrepresented party is required to appear at the conference in person. Counsel are advised to review Judge Rakoff's Individual Rules of Practice, a copy of which is enclosed.

DATE AND PLACE OF CONFERENCE: SEPTEMBER 29, 2009, AT THE UNITED STATES COURTHOUSE, 500 PEARL STREET, NEW YORK, N.Y. IN COURTROOM 14-B AT 11:00 a.m.

No application for adjournment will be considered unless made within one week of the date of this notice. The fact that any party has not answered the complaint does not excuse attendance by that party or warrant any adjournment of the conference. Finally, upon receipt of this notice, please immediately furnish Chambers with a courtesy copy of your complaint and F.R.C.P. Rule 7.1 Statement, if applicable.

ORDERED.

s/ Jed S. Rakoff

JED S. RAKOFF
U.S.D.J.

DATED: New York, New York
September 14, 2009

MICROFILMED

SEP 15 2009-9 PM